IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 16TH NOVEMBER 2006 / 25TH KARTHIKA 1928

WP(C).No. 28491 of 2006(P)

PETITIONER:

K.A.SYAMALA, AGED 55 YEARS,
W/O.LATE VASUDEVA PANICKER, (U.D.CLERK RETD.)
KADAVALLOOR GRAMA PANCHAYATH QUARTERS NO.VIII/1093-A,
P.O.KARIKKAD, THRISSUR DISTRICT-680 519.

BY ADV. SRI.SHOBY K.FRANCIS

RESPONDENTS:

KADAVALLOOR GRAMA PANCHAYATH,
P.O.KARIKKAD, THRISSUR DISTRICT-680 519,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.DEEPU THANKAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 28491 OF 2006

Dated this the 16th November, 2006.

JUDGMENT

The petitioner retired from the service of the Panchayat on 30.6.2006. She is occupying the official quarters which belong to the respondent-Panchayat. As per rules, those who are occupying the quarters are liable to vacate the same, immediately on retirement. The petitioner has been in occupation of the quarters for the months of July, August, September, October and November, for which there is no permission from the Panchayat. Since the petitioner continued to occupy the quarters, the Panchayat had to pass a resolution to the effect that the petitioner has no right to do so. That also did not produce any effect. The petitioner has now approached this Court invoking Art.226 of the Constitution of India for a direction to the respondent-Panchayat to permit the petitioner to continue in occupation based on compassionate grounds.

2. It is evident from the pleadings in the writ petition as also from the submissions made by the counsel for the Panchayat that there is not even a semblance of right in the petitioner to continue to occupy the official quarters even after her retirement from service four months

ago. The petitioner is liable to vacate the quarters. Writ petition is devoid of merits. Dismissed.

K.K.DENESAN
Judge

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